

# CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

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**TO:** EPP Industry Workgroup

**FROM:** California Integrated Waste Management Board (CIWMB) and  
Department of General Services (DGS)

**RE:** EPP Standard for Printer and Duplication Cartridges

**DATE:** August 4, 2006

Thank you for your letter dated February 8, 2006, regarding the EPP Industry Workgroup's proposal for an alternative to benchmark 4 of the EPP standard for remanufactured and OEM printer and duplication cartridges. I would like to commend the EPP Industry Workgroup for stepping forward and making the effort to draft this proposal. Your proposal is helpful, informative and a substantive contribution to the process of establishing this standard. Your work is an excellent example of cooperation between the private industry and the public sector.

We have reviewed your proposal and seek clarification of the following:

1. In item (c) of your letter you stated: "The vendor shall submit an annual report to CIWMB, no later than July 1<sup>st</sup> of the calendar year following the calendar year that is being reported on, that states the quantity (by weight) of cartridges collected. Note: US nationwide figures and aggregate data are acceptable in the absence of California specific data or SKU-specific data."
  - a. What will be the format of the report? Can you provide us with a sample of what one would look like?
  - b. Would the reported weight of collected cartridges be model specific?
  - c. If it is not model specific, how would a specific model be designated as EPP?
  - d. You proposed using aggregate data; do you mean in the absence of California specific data you would use model specific nationwide data? Or aggregate data of all models collected nationwide? If it is the former, how would we measure its impact on diversion in California? If it is the latter, how would we determine if a specific model has EPP attributes as well as its impact on diversion in California?
  - e. In the absence of California specific data, we are concerned that EPP claims would be difficult to verify. Would the industry commit itself to generate California specific data?
  - f. If the industry commits itself to generate California specific data, how long will it take to generate such data?



We feel strongly that the attainment of the EPP standard should be cartridge model specific, so that for a cartridge model to be considered as an EPP cartridge, that specific model must be recycled, reused, remanufactured, etc. Compliance to the standard for one model should not be achieved by the efforts of another model or product altogether.

It also causes us concern that in its current form, this benchmark would allow a cartridge model to be considered an EPP for as long as it takes to evaluate the collection rate data. It is problematic to us to allow a cartridge to be sold as an EPP prior to it actually achieving that status.

2. In item (b) of your letter you have stated that: "The program must operate at a recycling efficiency of at least 50% of materials from collected cartridges (by weight) through parts re-use and/or material recycling (recycling excludes waste to energy processes)."
  - a. Let us envision a scenario where a vendor, through its collection program in place, collects only 30 percent by weight of a specific cartridge model nationwide (since it is suggested by the Industry Workgroup that California specific data may not be available for some cartridge models). The Industry Workgroup proposes recycling 50 percent of the collected cartridges, i.e., 15 percent by weight.
    - i. Would recycling half of the collected cartridges (15 percent by weight) nationwide have an appreciable impact on diversion in California?
    - ii. Would fifty percent recycling efficiency be appropriate given that the denominator is very small to begin with?
    - iii. Does the industry have a minimum collection rate to recommend?

Would the industry be able to estimate a number of cartridges sold and collected based upon the weight of the cartridges? It is expected that people will want to know numbers of cartridges rather than weight of cartridges.

3. In your letter you have stated that: "the proposal is consistent with the provisions of SB1106, recently enacted changes to the California Public Contract Code which update and clarify buy recycled requirements. Those changes include products to be preferentially procured under the requirements of the State Agency Buy Recycled (SABRC) program cartridges that are backed by a vendor-offered program that will take back the printer cartridges after their useful life and ensure that the cartridges are recycled. (CIWMB Memorandum, Legislative Update Regarding the State Agency Buy Recycled Campaign (SABRC), Dorothy Woody, December 12, 2005)." I would like to offer the following comments:

.For your proposal to be consistent with the provisions of SB1106, the vendors would have to certify under the penalty of perjury their recycling / remanufacturing program or certify that cartridges have 10 percent postconsumer recycled content. If the vendors choose to certify their recycling / remanufacturing program, they need to certify (as indicated in PCC Section 12156 (e) (2)) that the returned cartridges will undergo a collection, sorting, cleansing, treating or reconstituting process and that the returned cartridges will be manufactured into a new product, or that the returned cartridges will be remanufactured into a used cartridge (as defined in PCC 12156 (e) (3)). A proposed recycling efficiency of only 50 percent of collected cartridges by weight may not attain compliance with the provisions of SB1106, if half of the collected cartridges end up in a landfill or are incinerated.

We intend for the EPP standard to be a leadership standard that brings remanufactured and OEM printer and duplication cartridges beyond the status quo in terms of environmental protection. We feel that it is important for cartridges to possess a significant environmentally preferable feature (or features) prior to being designated as an EPP. Compliance with current statutory requirements does not necessarily establish a standard that we can all be proud of in defining an EPP.

As part of our ongoing effort to explore national and international environmental attributes for printer and duplication cartridges and in responding to suggestions from our interested parties, we have researched eco-labeling requirements currently used nationally, in Europe, and the Far East. We have also reviewed the environmental performance criteria of EPEAT (Electronic Product Environmental Assessment Tool). These environmental attributes will help the standard provide the type of environmental protection we all are looking for. A list of the environmental criteria we are reviewing is attached.

As part of our effort for continued dialogue with our interested parties, we are planning to hold another workshop on Thursday September 21, 2006 at our Cal-EPA building at 10<sup>th</sup> and I Street in Sacramento. The meeting will be held in the Training Room 2, 2<sup>nd</sup> floor from 1:00 p.m. to 4:00 p.m. We ask you to respond via e-mail to Mr. Fareed Ferhut at [fferhut@ciwmb.ca.gov](mailto:fferhut@ciwmb.ca.gov) and indicate whether you will attend this workshop in person or call into the conference line.

I would like to thank you again for your valuable contribution to this effort. I look forward to continuing our dialogue and working together towards establishing an environmentally preferable standard for printer and duplication cartridges that we can all be proud of. Please send your feedback to Mr. Ferhut at [fferhut@ciwmb.ca.gov](mailto:fferhut@ciwmb.ca.gov) by September 5, 2006. Thank you for your support of this effort to protect the health and improve the environmental quality of our lives by creating an EPP standard for remanufactured and OEM printer and duplication cartridges.

Sincerely,

*Original Signed by*

Jerry Hart, Supervisor  
Buy Recycled Section

Attachment

cc: Bill Orr, CIWMB  
Fareed Ferhut, CIWMB